

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KATHRYN KOTVAN,

Plaintiff,

v.

ROCKY MOUNTAIN HOSPITAL AND  
MEDICAL SERVICE, INC. d/b/a  
ANTHEM INSURANCE COMPANY,

Defendant.

Case No. 2:09-CV-1076-KJD-GWF

**ORDER**

Presently before the Court is Defendant's Motion for Summary Judgment (#22). Plaintiff failed to respond to Defendant's motion. After being contacted by court staff, Plaintiff's counsel filed a stipulation (#23) to extend time to file an opposition for an additional thirty-eight (38) days past the expired deadline. Despite having an additional thirty days after the entry of the stipulation, Plaintiff failed to respond to the motion for summary judgment. Therefore, in accordance with Local Rule 7-2(d) and good cause being found, the Court grants Defendant's motion for summary judgment. Defendant has demonstrated that the undisputed facts show that it paid the claims in accordance with the insurance contract. Accordingly, Plaintiff has failed to demonstrate that genuine issues of fact exist that require a trier of fact to determine whether the contract or Nevada statute have been breached.

1 Accordingly, IT IS HEREBY ORDERED that Defendant's Motion for Summary Judgment  
2 (#22) is **GRANTED**;

3 IT IS FURTHER ORDERED that the Clerk of the Court enter **JUDGMENT** for Defendant  
4 and against Plaintiff.

5 DATED this 21<sup>st</sup> day of March 2011.

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Kent J. Dawson  
United States District Judge